

DETAILED ACTION

1. This action is responsive to the Amendment received on October 26, 2007. Claims 1-20 have been cancelled. Claims 21-26, and 32-34 have been amended. Claims 21-43 are pending examination.

Response to Arguments

2. Applicant's arguments have been considered but are not persuasive. In particular applicant argues the use of Official Notice taken by the examiner in the previous action.

In response the examiner respectfully disagrees. The examiner notes that Applicant's traversal is inadequate. MPEP 2144.03(c) requires that the Applicant subsequent action adequately traverse the statement that certain subject matter is old and well-known art. It further notes that an ***adequate traversal must state why it is believed that the subject matter is not old and well known.***

The applicant failed to specifically point out the supposed errors in the examiner's action, and to state why the notice fact is not considered to be common knowledge or well known in the art, therefore in view of the inadequate traversal, and in light of the requirements of 2144.03(c), ***the examiner notes that the well known in the art statements of the previous Office Action are considered to be admitted prior art.***

Claim Objections

3. Claims 21 and 24 are objected to because of the following informalities: claims 21 and 24 recite "... which enables sending of data indicative of at least electric power consumption for each information electric appliance individually to a rent managing

Art Unit: 3627

server of the service providing company through a communication line and also enables receipt from the rent managing server of data relating to a rent due to the service providing company...", there is grammatical error with the underlined portion, Appropriate correction is required by applicant.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the **first paragraph** of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 21-43 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 21, 24, and 32 recite "wherein the information appliance renting system enables a reduction of life cycle cost of respective information electric appliances in accordance with data sent", examiner finds no support for this limitation in the applicant specification. Specifically, there is no description of how the system enables reduction cost in accordance with data sent.

Claims 23-22, 25-33 and 33-43 are rejected based on there dependency from rejected claims.

6. The following is a quotation of the **second paragraph** of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 21-43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 21, 24 and 32 recite "... *in accordance with the data sent*", this feature renders the claim indefinite, it's not clear to the examiner which data sent is the applicant relying on, for example, is it the data sent by information electric appliance to the rent managing server or is it the data being received by the rent managing server from different individual contractors. For the purpose of examination this feature will be interpreted as being data sent by the information electric appliance system to rent managing server.

Claims 23-22, 25-33 and 33-43 are rejected based on their dependency from rejected claims.

Appropriate correction is required by applicant.

Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 21-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakakibara et al., US Patent No. 6,476,728 referred to hereinafter as Sakakibara in

view of Sneeringer US Patent NO. (6,618,709) referred to hereinafter as Sneeringer in further view of official notice.

As to claim 21, Sakakibara teaches An information electric appliance renting system in which a service providing company rents to each of a plurality of different individual contractors at least one information electric appliance based upon contracts between the service providing company and the plurality of different individual contractors (see col.3, lines 55-64), *the information electric appliance renting system comprising, the at least one information electric appliances which enables sending of data indicative of at least electric power consumed thereby to a rent managing server of the service providing company through a communication line (see col.5, lines 23-33, col.6 lines 48-63) and also enables receipt from the rent managing server of data relating to rent for the at lease one information electric appliance which includes an amount corresponding to the electric power consumed thereby (see col. 7 lines 55-60).*

Sakakibara does not expressly teach sending data indicative of at least electric power consumed for each information electric appliance individually, Sakakibara does teach a device (see fig. 2 block 21), which monitors power consumed by a plurality of electric appliance (see at least col. 5 lines 23-33), this device is ale to send data indicative to one device or plurality of device, depending on the preference of the user. It would have been obvious to one of ordinary skill in the art to modify Sakakibara to include sending data indicative of at least electric power consumed for each information electric appliance in order to allow the employer to monitor the power consumed by each electric appliance.

Although Sakakibara teaches computing the electrical charges/cost based on the consumption of the plurality of electric appliance's and these charges are being transmitted from the management computer to the personal computer in the home office, allowing each home worker to ascertain the computed electric charges (see col.7 lines 55-60), Sakakibara however does not expressly teach the service providing company receives from a plurality of different individual contractors payment of the rent and pays to an electric power company an amount corresponding to the total consumed electric power of all of the rented information electric appliances of the plurality of different individual contractors i.e. a service providing company receiving rent from a plurality of contractors and pays the electric power company.

The examiner takes official notice that a service providing company-receiving rent from a plurality of contractors or a third-party/middle-man collecting fees for services offered and paying the electric power company is well known and old in the art. Therefore it would have been obvious to one of ordinary skill in the art to modify Sakakibara to include a service providing company, receiving rent from a plurality of contractors and paying the electric power company because doing so would alleviate direct interactions with the plurality of consumers or contractors by delegating a "a third-party/middle-man" to administer and collect fee's on behalf of the electric power company.

With regard to the newly added feature "wherein the information electric appliance renting system enables a reduction of life cycle cost of respective information electric appliances in accordance with the data sent", it is the examiners principle

*position that “enabl[ing] a reduction of life cycle cost of respective information electric appliance ...” is inherent because this feature is merely **a benefit of the claimed system; Sakakibara teaches a similar system therefore the benefits are understood to be the same.***

Alternatively, if not inherent it would have been obvious to PHOSITA at the time the invention was made to modify Sakakibara to include “enabl[ing] a reduction of life cycle cost of respective information electric appliance ...” (**see Sneeringer Col. 8 lines 20-30**), for keeping the customers satisfied and to increase revenues of supplier for example.

As to claim 22, Sakakibara teaches an information electric appliance renting system according to claim 21, wherein the service providing company contracts with the electric power company to pay for electric power consumed by the rented information electric appliances of the different individual contractors based upon rates for the total consumed electric power of the rented information electric appliances of the plurality of different individual contractors (see col.7, lines 40-60).

As to claim 23, Sakakibara teaches an information electric appliance renting system according to claim 21, wherein the data sent by the at least one information electric appliance to the rent managing server further includes information relating to at least one of manufacture and use of the at least one information electric appliance (col.6 lines 47-67).

As to claims 24, claim 24 contains similar limitations as claim 21; therefore, it is rejected under the same rationale.

As to claims 25, claim 25 contains similar limitations as claim 22; therefore, it is rejected under the same rationale.

As to claims 26, claim 26 contains similar limitations as claim 23; therefore, it is rejected under the same rationale.

As to claim 27, Sakakibara teaches An information electric appliance renting system according to claim 26, wherein the at least one information electric appliance of respective individual contractors include at least one first information electric appliance which is connected to the Internet, and a second information electric appliance which is connected to said first information electric appliance through a communication line (see col.7 lines 65-col.8 lines 9). As to claim 28, Sakakibara teaches an information electric appliance renting system according to claim 26, wherein the rent managing server arithmetically determines the consumed electric power rate of the leased information electric appliances for the electric power company which supplies electric power to the rented information electric appliances, and enables supplying the electric power company with data relating to the consumed electric power rate through a communication network (see col.6 lines 48-67).

As to claim 29, Sakakibara teaches an information electric appliance renting system according to claim 26, wherein the at least one information electric appliance of respective individual contractors include a first information electric appliance which is connected to the rent managing server of said service providing company through a communication network and a second information electric appliance which is connected to the first information electric appliance through a communication line (see col.3 lines

55-col.4 line 6).

As to claim 30, Sakakibara teaches an information electric appliance renting system according to claim 29, wherein the first information electric appliance enables display thereon of the data relating to the other information the consumed electric power rates of the first and second information electric appliances (see col.7, lines 13-25).

As to claim 31, Sakakibara teaches an information electric appliance renting system according to claim 29, wherein the first information electric appliance enables maintenance diagnosis or replacement diagnosis of the second information electric appliance, which is connected to the first information electric appliance through the communication line col.8 lines 35-54.

As to claims 32-43, they contain similar limitations as above; therefore, they are rejected under the same rationale.

Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mussa A. Shaawat whose telephone number is 571-272-2945. The examiner can normally be reached on Mon-Fri (8am-5:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

Art Unit: 3627

more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Patent Examiner
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